

IN THE HIGH COURT OF JUDICATURE AT MADRAS
THURSDAY, THE TWENTY THIRD DAY OF DECEMBER
TWO THOUSAND AND TWENTY ONE

PRESENT

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.M.A. No.1457 of 2015

The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
Kumbakonam Division II,
Periyamilaguparai, Trichy 1

... Appellant/Respondent

Vs.

1.Alamelu
2.Sundarraaj
3.Ramesh

... Respondents/Petitioners

Prayer:Appeal against the order of the Motor Accident Claims Tribunal, Principal District Court, Namakkal dated 03/04/2014 and made in MCOP No.368 of 2010.

DECREE:This Appeal coming on for hearing on this day, upon perusing the grounds of Appeal, the Judgment and decree of the Lower Court and the material records in this case and upon hearing the arguments of Mr.D.Venkatachalam, Advocate for the Appellant and of Mr.C.Kulanthaivel, Advocate for the Respondents 1 to 3 this Court, while allowing the Civil Miscellaneous Appeal in part and in modification of the award of the Tribunal, doth order and decree as follows;

i)That the award passed by the Motor Accident Claims Tribunal, Principal District Court, Namakkal dated 03/04/2014 made in MCOP No.368 of 2010 and the sum of Rs.5,60,000/- (Rupees Five Lakhs Sixty Thousand only) each awarded by the Tribunal as compensation to the respondents along with interest and costs are confirmed;

ii) That the Appellant herein/Transport Corporation be and hereby is directed to deposit a sum of Rs.3,64,000/- (Rupees Three Lakhs Sixty Four Thousand only) each bring 65% of the amount awarded by the tribunal, along with interest and costs less the amount already deposited if any within a period of twelve (12) weeks from the date of receipt of a copy of this Judgment;

iii) That on such deposit being made the Respondents/Claimants be and hereby are permitted to withdraw their share of the award as per the apportionment fixed by the tribunal along with proportionate interest and costs less the amount if any already withdrawn by filing necessary petitions before the tribunal;

iv) That the Appellant herein/Transport Corporation/Respondent be and hereby is permitted to withdraw the excess amount lying in the deposit to the credit of MCOP No.368 of 2010 if the entire amount has already been deposited by them;

v) That there be no order as to costs in this Civil Miscellaneous Appeal;

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

vk
To

The Motor Accident Claims Tribunal,
Principal District Court,
Namakkal.

Copy to

The Section Officer,
V.R Section,
High Court, Madras.

+lcc to Mr.C.Kulanthaivel, Advocate Sr.299
+lcc to Mr.D.Venkatachalam, Advocate Sr.69422

Dated:23/12/2021

DECREE

CMA No.1457 of 2015

Allowing the Civil Miscellaneous Appeal in part preferred against the Judgment and Decree on the file of the Motor Accident Claims Tribunal, Principal District Court, Namakkal dated 03/04/2014 made in M.C.O.P NO.368 of 2010 etc., as stated within.

vbm[co]
srg 27/04/2022